



Planning & Zoning Commission

Regular Meeting

Thursday, September 8, 2016

Delta City Building Council Chambers

76 North 200 West

Delta, Utah

PRESENT

Linda Beard, Acting Chairwoman

Rand Crafts, Member

Richard Jones, Member

John Niles, City Representative

ABSENT

Wes Duncan, Member

Alan Johnson, Member

Linda Sorensen, Chairwoman

Roger Zeeman, Member

ALSO PRESENT

Dent Kirkland, Code Enforcement Officer

Travis Stanworth, Asst. Code Enforcement Officer

Lora Fitch, Deputy Recorder

Todd Anderson, City Attorney

Howard Quackenbush, Delta Citizen

Steven Pratt, Delta Citizen

Steven Huber, Delta Citizen

Acting Chairwoman Beard called the meeting to order at 7:00 p.m. She stated that notice of the time, place and the agenda of the meeting had been posted at the City Building, on the Utah Public Notice website, the Delta City website, and had been provided to the Millard County Chronicle-Progress and to each member of the Commission at least two days prior to the meeting.

MINUTES

The proposed minutes of a Planning & Zoning Public Hearing held August 11, 2016 were presented for consideration and approval. Commission Member Crafts made a MOTION to accept the Public Hearing Minutes of August 11, 2016 as presented. Commission Member Jones SECONDED the motion. The motion passed with Acting Chairwoman Beard, Crafts, Jones, and City Representative Niles in favor and Members Duncan, Johnson, and Zeeman being absent.

The proposed minutes of a Planning & Zoning Commission Meeting held August 11, 2016 were presented for consideration and approval. Acting Chairwoman Beard noted that the address on

line 44 is wrong. Member Crafts made a MOTION to accept the Planning and Zoning Minutes of August 11 with the correction to line 44. Commission Member Jones SECONDED the motion. The motion passed with Acting Chairwoman Beard, Crafts, Jones, and City Representative Niles in favor and Members Duncan, Johnson, and Zeeman being absent.

BUSINESS

Discussion for Carport Exemption to Setback Requirements

Howard Quackenbush came before the Commission to see if it were possible to get either an exception to the setbacks on the Highway Commercial zoning code or to have a reconsideration of the setback for parking structures in the zoning code throughout the City. Mr. Quackenbush informed the Commission that he is wanting to put in some solar panels at his clinic and would like to put them on the top of a carport on the east side of the property where parking already takes place. Public Works Director Kirkland had informed Mr. Quackenbush that the carport would not meet setback requirements. Mr. Quackenbush had informally gone before the City Council the week before to see if they might be favorable of changing the carport restrictions and the Council had not had an issue with it. City Attorney Anderson reviewed the city code setback requirements for Highway Commercial and other zones and then informed the Commission that there are exceptions for carports on inside setbacks in other cities. City Attorney Anderson reviewed some of the requirements other cities had made for carports and noted that a number of carports have been going up anyway. The Commission and Mr. Quackenbush discussed Mr. Quackenbush's property. The Commission reviewed what possible requirements could be made and where the exceptions would be permitted. The Commission proposed the outline of a draft for an ordinance change so that a conditional use permit can be obtained to permit carports to within 5 feet of side property lines and 2 feet from back property lines. The proposed requirements for the conditional use permit include that the definition of carport be changed so that three sides must be open, exceptions cannot be obtained for frontage or corner property lines, water drainage must stay on lot, and building materials must be fireproof. The Planning and Zoning Commission set a public hearing regarding the ordinance change to approve conditional use permits to allow car ports in the setbacks provided they meet specific requirements on October 13 at 6:45 p.m.

Request Different Lot Configuration for Pratt Estates Plat C

Steven Pratt came before the Commission to ask that he be permitted to reconfigure the lots of Pratt Estates Plat C in order to be able to sell them. Mr. Pratt said that he has had problems with selling the lots due to how small they are. Mr. Pratt stated that Code Enforcement Officer Kirkland had recommended eliminating lots a, b, and c. Mr. Pratt had been in contact with at least one adjacent land owner to see if they would be interested in purchasing one of the lots to add into their own. The Commission informed Mr. Pratt that selling the three lots to adjacent owners would be acceptable if the lots were reconfigured, but they would need to be legally incorporated into their lots to keep from having land-locked lots. The Commission, Mr. Pratt, City Attorney Anderson, and Code Enforcement Officer Kirkland discussed possible ways to re-configure the lots and keep them legal. The possibilities of cul-de-sacs, private roads, private turn-about, and cost-sharing with neighboring properties was discussed. One idea that was proposed was to run

lots E and F all the way to the road, join D with A, put in an easement and a private road. Code Enforcement Officer voiced that his concerns were that to have a legal lot, the lot would have to have enough frontage on a city road and the lack of a turnabout. It was agreed that neighboring property owners would need to be contacted and more research would need to be done to see how it can be rearranged in a way that met the ordinances.

Draft for Cost Sharing Policy

There was a discussion about the draft for the Cost Sharing Policy. Commission Member Jones pointed out two typos.

Member Crafts made a MOTION to recommend the Cost Sharing Policy to City Council. Commission Member Jones SECONDED the motion. The motion passed with Acting Chairwoman Beard, Crafts, Jones, and City Representative Niles in favor and Members Duncan, Johnson, and Zeeman being absent.

OTHER BUSINESS

Steve Huber came before the Commission to get the requirements on getting a conditional use permit for a storage container on his property. There was a discussion about Mr. Huber's property and plans for the storage container. Member Crafts informed Mr. Huber that in the past, to get a conditional use permit, the Commission has required that the storage container be on a pad, be a neutral color or match the house, and met the setback requirements.

Code Enforcement Officer Kirkland informed the Commission that the City Council had put a 6-month moratorium on ground-based and pole-mounted solar panels to give the Planning and Zoning Commission time to put together an ordinance to recommend to the Council.

With no other questions or concerns, Commission Member Jones MOVED to adjourn the meeting. Commission Member Crafts SECONDED the motion. The motion passed with Commission Members Beard, Crafts, Duncan, Jones, and City Representative Niles in favor and Members Johnson and Zeeman being absent.

Acting Chairwoman Beard declared the meeting adjourned at 8:43 p.m.

Minutes Approved

Lora Fitch, Deputy Recorder